

Application No.: 10/761590  
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### **REMARKS**

Claims 1-16 are in the case. Claims 1-12 have been canceled. Claims 13-16 original to the priority case are under consideration here.

Claims 13-16 have been rejected under 35 USC § 112.

Claims 13 and 16 have been amended to more clearly define Applicants' invention.

Applicants take note that the preliminary amendment and the Information Disclosure Statement filed 1/19/2004 has been entered.

The specification has been amended to update the claim of priority and correct the Title and Abstract for lack of descriptiveness.

No new matter has been added.

### ***Claim Objections***

Claim 15 is objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the specification does not support the limitation of the concentration of PHA at 20 dry weight percent of the biomass. Applicants traverse.

The specification details the concentration of PHA at levels of between 15 – 20 dry weight percent of the biomass in a number of instances, for example on page 4, at lines 1, 28, and 35, and page 6, at line 33, to name a few. Applicants submit that specification provides support for this concept.

### ***Claim Rejections – 35 USC § 112***

Claims 13-16 are rejected under 35 USC § 112, second paragraph for indefiniteness. Specifically;

Claim 13(b) the limitation “the concentration”;

Claim 13(c) the limitation “the biomass”;

Claim 16, “removal”

all lack antecedent basis.

The claims have been amended to overcome this rejection.

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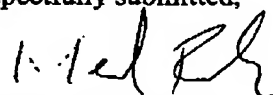
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***Title and Abstract***

The title and abstract have been objected to as not being descriptive of the claimed subject matter. A new Title and Abstract are required. The specification has been amended to overcome this objection.

In view of the amendments to the claims Applicants respectfully request removal of all rejections and reconsideration of the claims as amended.

Respectfully submitted,



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